

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PAUL O'BEIRNE,
Plaintiff,
v.
TROY STAFFORD,
Defendant

NO. C15-1330RSL

ORDER AWARDING FEES AND COSTS

This matter comes before the Court on “Plaintiff Paul O’Beirne’s Motion for Attorney’s Fees and Costs.” Dkt. # 54. On January 28, 2019, the Court awarded plaintiff the reasonable attorney’s fees, costs, and travel expenses incurred in connection with defendant’s previous failure to appear for his deposition and a related motion to compel. Having reviewed the unopposed application, the supporting declaration and exhibit, and the remainder of the record, the Court finds that counsel’s hourly rates are reasonable. Certain fees requested by plaintiff are not recoverable, however. Charges related to time spent attempting to resolve the discovery dispute prior to filing the motion to compel, reporting to the client, and reviewing the file were not “incurred in making the motion” as required by Rule 37. After making appropriate deductions, the Court finds that plaintiff is entitled to reimbursement of fees in the amount of \$ 4,088.00 and costs in the amount of \$1,159.61, for a total of \$5,247.61. Defendant shall pay this amount to plaintiff c/o Yarmuth LLP at 1420 Fifth Ave. Suite 1400 Seattle WA 98101

ORDER AWARDING FEES AND COSTS - 1

1 within twenty-eight days of the date of this Order.
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5 Dated this 5th day of April, 2019.
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Robert S. Lasnik
Robert S. Lasnik
United States District Judge